

**MINUTES  
OF THE REGULAR MEETING OF THE  
EDINA CITY COUNCIL HELD AT CITY HALL  
JANUARY 21, 1997 - 7:00 P.M.**

**ROLLCALL** Answering rollcall were Members Faust, Hovland, Kelly, Maetzold, and Mayor Smith.

**OATH OF OFFICE ADMINISTERED** Clerk Mangen administered the Oath of Office to James B. Hovland, appointed to the remaining two years of a four-year City Council term ending January 1, 1999.

**CONSENT AGENDA ITEMS APPROVED** Motion made by Member Maetzold and seconded by Member Hovland to approve and adopt the Consent Agenda items as presented.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

**FEBRUARY 1997 PROCLAIMED "WE LOVE OUR KIDS" MONTH** Mayor Smith explained that at the request of the Edina Chemical Awareness the Council was considering proclaiming February 1997 as "We Love Our Kids" month. Mayor Smith continued the mission of this month is a unified community effort promoting developmental assets in our children, strengthening the family unit and creating an awareness in adults of their effect on children's lives throughout the year. **Member Hovland made a motion, seconded by Member Maetzold proclaiming February 1997 "WE LOVE OUR KIDS" month in the City of Edina.**

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Proclamation adopted.

**MESSAGE FROM REPRESENTATIVE JIM RAMSTAD** Susan Holderness representing Congressman Jim Ramstad offered congratulations to newly elected and appointed Council members. Ms. Holderness urged the Mayor and Council, staff, and Edina citizens to use Rep. Ramstad whenever they need a liaison to the Federal government. She added his mobile office will be in Edina in either February or March.

**\*MINUTES OF THE REGULAR MEETING OF JANUARY 6, 1997 APPROVED** Motion made by Member Maetzold and seconded by Member Hovland approving the Minutes of the Regular Meeting of January 6, 1997.

Motion carried on rollcall vote - five ayes.

**PUBLIC HEARING PROCESS REVIEW** Manager Rosland briefly reviewed the process for conducting public hearings before the City Council.

**\*PERMANENT STREET SURFACING WITH CONCRETE CURB AND GUTTER/SIDEWALK IMPROVEMENT NO. BA-309 (WEST 66TH STREET BETWEEN YORK AVENUE AND FRANCE AVENUE) ORDERED AND FINAL PLANS APPROVED** Affidavits of Notice were presented, approved, and ordered placed on file.

**Presentation by Engineer**

Engineer Hoffman explained that on March 4, 1996, Council granted preliminary plan approval to the Hennepin County project West 66th Street (County State Highway 53) from France Avenue to York Avenue. Again on December 16, 1996, Council reviewed the plans, but continued the hearing until tonight's meeting because Hennepin Council and Southdale had not agreed on all the curb cuts. Engineer Hoffman noted the actions required to complete this project include: Final Plan Approval, Cooperative Construction Agreement, resolution authorizing the use of State Aid funds for the project, and resolution reauthorizing the project by the City. Engineer Hoffman added reauthorization is

necessary because more than twelve months will elapse before construction begins and the original improvement hearing held in March 1996. The basic design elements of the project include:

- . Two through lanes each way with turn lanes into Southdale Shopping Center;
- . One additional lane on the north side of the street for ingress-egress to numerous driveways and streets;
- . New traffic signals at Drew & W. 66th Street and W. 66th Street & Southdale exits west of Firestone;
- . Replacement of the sidewalk on the north side of W. 66th with brick pedway/bikeway;
- . Irrigated landscape system similar to the Grandview area;
- . New street lighting system replacing NSP system (similar to York, Valley View & W. 69th around Southdale);
- . Conversion of overhead power system to an underground system subject to City/NSP agreeing upon location and costs of conversion;
- . New storm sewer for entire length of the project;
- . Similar entrance/exit design to west, south and east sides of Southdale;
- . Cost estimated at 1.8 million dollars (portion of West 66th Street to be Federal Aid);
- . 10% of the project funded through special assessment of commercial property abutting project (rate at \$40.00/foot); and
- . Project designed to meet twenty year traffic projections (Year 2015).

Engineer Hoffman stated staff recommended approval of the Final Plan as presented with the condition that the final determination of the Firestone Turn Lane/Curb Cuts will be made at a later date.

#### Public Comment

Paul Skram, representing Equitable, owners of Southdale, stated they are happy with the design.

#### Council Discussion and Action

Member Faust questioned the timing of the project and whether construction was planned to allow traffic use of the road during the project. Engineer Hoffman replied the bid is scheduled to be awarded in May with construction taking most of the summer. He added one lane of traffic will continue throughout the construction.

Member Maetzold asked for clarification of the Firestone turn lane. Engineer Hoffman confirmed that the proposed turn lane is not a driving lane but its installation should improve the traffic in the area. Also, the reconstruction will allow better snow removal access.

Member Hovland requested a review of the funding for the project, asked about the lighting and whether or not the proposed \$40.00/foot special assessment is typical. Engineer Hoffman explained the estimated project cost is \$1,800,000. Of the total approximately \$700,000 will come from the Federal Government and Hennepin County, special assessments will cover an estimated \$110,000 with the balance of funds coming from the City's gas tax. He continued that the \$40.00/foot proposed special assessment is consistent with City policy for this type of improvement project. Engineer Hoffman added the proposed lighting for the project includes high overhead lights and lower pedestrian lighting, but no ground level landscaping lighting is planned.

Mayor Smith complimented staff and Hennepin County for achieving a project design agreeable to all involved parties.

**Member Kelly introduced the following resolution and moved its adoption:**

**RESOLUTION ORDERING STREET IMPROVEMENT NO. BA-309  
RECONSTRUCTION OF CSAH 53 (WEST 66TH STREET)  
FROM YORK AVENUE TO FRANCE AVENUE  
S.A.P. 120-020-32**

WHEREAS, on the 2nd day of December 1996, the Edina City Council adopted a motion fixing the date for a public hearing on the proposed reconstruction of York Avenue from West 66th Street to West 69th Street for December 16, 1996; and

WHEREAS, ten days' mailed notice and two weeks' published notice of the hearing was given and the hearing was held thereon on the 16th day of December 1996.

WHEREAS, said hearing was continued until January 2, 1997 and again to January 21, 1997, at which hearing all persons desiring to be heard were given an opportunity to be heard thereon.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Edina has duly considered the views of all persons interested, and being fully advised of the pertinent facts does hereby determine to proceed with the construction of said improvement, including all proceedings which may be necessary in eminent domain for the acquisition of necessary easements and rights for construction and maintenance of such improvement. Said improvement is hereby designated and shall be referred to in all subsequent proceedings as:

**PERMANENT STREET SURFACING WITH CONCRETE CURB AND GUTTER AND SIDEWALK IMPROVEMENT NO. BA-309**

and the area to be specially assessed for a portion of the cost of the proposed improvement shall include:

E 2 ½ acres, Lot 1, W 98 Ft. of S 333 Ft. and S 583 Ft. of E 294 48/100 Ft., Low 4, W 229 86/100 Ft. of that part of Lot 5 lying S of a line parallel with and 116 5/10 Ft. S from S line of Cassin's Replat, excluding roads, "Cassin's Outlots"; S 300 Ft. of Lot 2, Block 3, Lot 1, Blk. 4, that part of lot 3 lying S of Ely ext. Of N line of Lot 2, Block 4, lot 4, Blk 4 excluding street, S 268 Ft. of Lot 5, Blk 4, Southdale Acres; Tract A, RLS No. 1234, excluding roads; Tract G, RLS No.629; that part of Tract B lying in N ½ of South 1/4 of Sec 29 T 28 R 24, RLS No. 1641.

**BE IT FURTHER RESOLVED** that Improvement BA-309 is hereby ordered as proposed.

Member Faust seconded the motion.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Resolution adopted.

**Member Kelly introduced the following resolution and moved its adoption:**

**RESOLUTION  
APPROVING THE FINAL PLAN  
FOR THE RECONSTRUCTION OF  
CSAH 53 (WEST 66TH STREET) FROM  
FRANCE AVENUE TO YORK AVENUE  
(S.A.P. 120-020-32 )**

WHEREAS, Final Plan for Hennepin County Project No. 9236 showing proposed improvements to County State Aid Highway No. 53 (West 66th Street) has been prepared and presented to the City, and

WHEREAS, State Aid Funds will be expended on the proposed improvements, and

WHEREAS, the Hennepin County Department of Public Works' Policies for Cost Participation Between Hennepin County and Other Agencies for Cooperative Highway Projects addresses the utilization of tax increment financing on County projects by municipalities, and

WHEREAS, the right turn lane into the Firestone site is granted subject to dedicated easements, site cleanup and any loss of parking due to the right turn lane being provided at no cost to the City of Edina or Hennepin County.

NOW, THEREFORE, BE IT RESOLVED, that said Final Plan be in all things approved and that the County is hereby authorized by the City to acquire all rights of way, permits and/or easements required for said improvements in accordance with the Final Plan, and

**BE IT FURTHER RESOLVED** that the City shall ban the parking of motor vehicles within the project limits on CSAH 53, and

**BE IT FURTHER RESOLVED** that the City will not use tax increment financing for any portion of the project cost.

Member Faust seconded the motion.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Resolution adopted.

**\*COMPREHENSIVE PLAN AMENDMENT FOR QUASI PUBLIC TO OFFICE (7128 FRANCE AVENUE SOUTH) SITE OF LUTHERAN CHURCH OF THE MASTER (PINEHURST PROPERTIES) CONTINUED TO FEBRUARY 3, 1997** Motion of Member Maetzold seconded by Member Hovland to continue the Comprehensive Plan Amendment for Quasi Public to Office, 7128 France Avenue South, the site of Lutheran Church of the Master, Pinehurst Properties, to February 3, 1997.

Motion carried on rollcall vote - five ayes.

**\*PRELIMINARY REZONING - R-1 SINGLE DWELLING UNIT DISTRICT TO POD-1, PLANNED OFFICE DISTRICT (7128 FRANCE AVENUE SOUTH), SITE OF LUTHERAN CHURCH OF THE MASTER (PINEHURST PROPERTIES) CONTINUED TO FEBRUARY 3, 1997** Motion of Member Maetzold seconded by Member Hovland to continue the Preliminary Rezoning - R-1 Single Dwelling Unit District to POD-1, Planned Office District at 7128 France Avenue South, site of Lutheran Church of the Master, Pinehurst Properties to February 3, 1997.

Motion carried on rollcall vote - five ayes.

**REVISED PRELIMINARY PLAN REVIEW FOR OLDE VERNON** Planner Larsen explained the proponent presented a 32-unit townhouse plan for Council consideration on October 7, 1996. Council approved the plan, but with a reduced density to 26 units. The proponent has revised the plan and is seeking Council's opinion before coming back for final approval.

Planner Larsen reviewed the changes from the original plan to the revised plan. The revised plan illustrates a 26-unit townhouse style development. However, all buildings are now single unit buildings. Residents would not own individual lots, only the building pad of their home, with all open space commonly held by the Homeowner's Association. The design of the individual homes, building materials and size would be limited to control the overall look of the development. The proposed general layout and private street system remain consistent with the plan reviewed in October. Planner Larsen explained the next step in the approval process would be for the proponent to prepare final plans for review by the Planning Commission. Final Plans would include: final plat, design and material specifications for buildings, final utility and grading plans; and landscaping plan and schedule. He concluded that Staff believes the revised plan is consistent with the preliminary plan.

Council members expressed concerns with surface parking on the site. Planner Larsen explained the Code requires two garage stalls per home, but no other surface parking. Concern was also expressed over emergency vehicle access and the potential for conflict with crowded on-street parking.

#### **Proponent Comment**

Philip Dommer, representing the developer, thanked the Council for the opportunity to appear. Mr. Dommer informed the Council the developer has met with the neighbors and believes the revised plan satisfies neighbors' concerns, meets City code and is a viable project from the the developer's viewpoint. He summarized the redesign features: reduction in number of homes to 26, the proposal to dedicate the area around Hawkes Lake to the City as open space, buildings pulled away from the southerly property line and landscaping planned to provide visual separation, no access to Wycliffe, access to development from Vernon, and strict guidelines prescribing size, character, quality and period architecture of the new homes. Mr. Dommer emphasized the developer's desire to dedicate the land around Hawkes Lake to the City, adding this would be done

in lieu of subdivision dedication. He concluded stating the developer would be willing to look at the possibility of including parking on the north side of the private road. However, Mr. Dommer stated he needs an answer on the land in lieu of cash question since there is the possibility of the northeast portion of the land around Hawkes Lake being a building site.

Mayor Smith asked if staff agreed with the dedication of land in lieu of subdivision dedication. Planner Larsen replied in his opinion answering this question would be premature at this time.

#### Public Comment

Daryl Seifert, 5901 Merold Drive, informed Council she likes the revised development plan. Ms. Seifert feels the plan now melds into the existing neighborhood. She added the developer has worked with the neighbors to the mutual satisfaction of all involved.

Lynn Hechter, 5816 Merold Drive, stated she opposed the proposed development, however, now she is happy to see single family units proposed. Ms. Hechter praised the developer, both for his willingness to work out the neighborhood issues and the high quality of the proposed development.

Council briefly discussed the proposed development, expressing their concern over surface parking, asking the price ranges of the units and asking the timing planned for final plan review. Mr. Dommer acknowledged the concern about parking, stated the units would start at \$350,000 and repeating his need for a decision on the land dedication in lieu of subdivision dedication. He concluded the developer intends to appear before the Planning Commission at their February meeting then come to City Council by the second meeting in March. Mayor Smith suggested Mr. Dommer review the Council's concerns and work with staff on the subdivision dedication issue.

**\*AWARD OF BID FOR PAPER SUPPLY ABOUT TOWN WINDER 1997** Motion made by Member Maetzold and seconded by Member Hovland for award of bid for the paper supply for About Town, Winter 1997 to Unisource at \$6,413.10.

Motion carried on rollcall vote - five ayes.

**\*AWARD OF BID FOR SELF PROPELLED STREET SWEEPER** Motion made by Member Maetzold and seconded by Member Hovland for award of bid for one Self Propelled Street Sweeper replacing Unit #25-417 to MacQueen Equipment under Minnesota Cooperative Purchasing Agreement Contract 79097-03001 at \$95,917.10

Motion carried on rollcall vote - five ayes.

**\*AWARD OF BID FOR EMERGENCY ROAD SALT PURCHASE** Motion made by Member Maetzold and seconded by Member Hovland for award of bid for 300 Tons of Road Salt to recommended low bidder Akyo Nobel for \$33.81 per ton total purchase at \$10,143.00.

Motion carried on rollcall vote - five ayes.

**\*AWARD OF BID FOR 4-WHEEL DRIVE PICK-UP TRUCK FOR PARK MAINTENANCE** Motion made by Member Maetzold and seconded by Member Hovland for award of bid for a 1997 4-wheel drive pick-up truck for Park Maintenance to recommended low bidder Grossman Chevrolet Co., Inc. at \$19,117.20.

Motion carried on rollcall vote - five ayes.

**\*AWARD OF BID FOR CARPET REPLACEMENT AT WARREN C. HYDE CLUBHOUSE** Motion made by Member Maetzold and seconded by Member Hovland for award of bid for replacement carpet for the Warren C. Hyde Clubhouse Grill Area to the sole provider Hartzman Associates at \$7,857.74

Motion carried on rollcall vote - five ayes.

**\*AWARD OF BID EDINA AQUATIC CENTER CHAISE LOUNGES** Motion made by Member Maetzold and seconded by Member Hovland for award of bid for 80 additional chaise lounges for the Edina Aquatic Center to recommended low bidder Taylor and Associates, Inc. at \$9,999.20

Motion carried on rollcall vote - five ayes.

**\*AWARD OF BID FOR 1997 GASOLINE SUPPLY FOR BRAEMAR GOLF COURSE AND FRED S. RICHARDS GOLF COURSE** Motion made by Member Maetzold and seconded by Member Hovland for award of bid for the 1997 Gasoline supply for Braemar Golf Course and Fred S. Richards Golf Course to Tracy-Tripp Fuel under Hennepin County Bid #3670 A6-232 at a cost not to exceed \$13,000.00.

Motion carried on rollcall vote - five ayes.

**\*TRAFFIC SAFETY REPORT OF JANUARY 7, 1997 APPROVED** Motion of Member Maetzold, seconded by Member Hovland to approve the following actions as recommended in Section A, of the Traffic Safety Staff Report of January 7, 1997 as follows:

1. Installation of "No Parking" signs on the east side of West Shore Drive at West 65th Street to designate the limits of the intersection;
2. Installation of "No Parking" signs on the west side of Lynmar Lane beginning at the north boundary of the property at 7016 Lynmar Lane and continuing south on Lynmar Lane and around the corner at Mavelle Drive and west on Mavelle Drive to a point ten (10) feet west of the driveway belonging to 7016 Lynmar Lane; and
3. Installation of "No Parking" signs on the east side of the street, beginning at the barricade northeast corner of Lynmar Lane and Mavelle Drive and continuing west on Mavelle Drive to a point opposite the ending point of the "No Parking" on the other side of the street; and

to acknowledge Sections B and C.

Motion carried on rollcall vote - five ayes.

**\*APRIL 14, 1996 SET AS DATE FOR BOARD OF REVIEW** Member Maetzold moved and Member Hovland seconded setting April 14, 1997 at 5:00 p.m. as the date for the Board of Review.

Motion carried on rollcall vote - five ayes.

**\*ASSISTANT WEED INSPECTOR APPOINTED** Member Maetzold moved and Member Hovland seconded the motion appointing Lowell McCarthy the Assistant Weed Inspector for the City of Edina for 1997.

**DATE SET FOR 1997 ANNUAL MEETING** Manager Rosland gave tentative dates for the 1997 Council's Annual Meeting with Boards and Commissions to be held at Centennial Lake, Tuesday, March 18, 1997 at 6:00 p.m. After a brief discussion, **Member Maetzold made a motion to set March 18 as the date for the Annual Meeting at 5:00 p.m. at Centennial Lakes.** Member Kelly seconded the motion.

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

**DATE SET FOR 1997 VOLUNTEER RECOGNITION RECEPTION** Manager Rosland pointed out National Volunteer Week in 1997 begins on April 14, 1997 and suggested tentative dates within that week for the Volunteer Recognition Reception to be held at Edinborough Park at 5:00 P.M. After a brief discussion, **Member Maetzold made a motion setting Tuesday, April 15, 1997 beginning at 5:00 p.m. as the Volunteer Recognition Reception.** Member Kelly seconded the motion.

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

**\*PETITION RECEIVED FOR STORM SEWER IMPROVEMENT, NORMANDALE LUTHERAN CHURCH** Motion made by Member Maetzold and seconded by Member Hovland to refer the storm sewer petition for Normandale Church to engineering for processing as to feasibility.

Motion carried on rollcall vote - five ayes.

**RESOLUTION ADOPTED APPROVING ASSIGNMENT OF SECURITIES IN LIEU OF BOND - NATIONAL CITY BANK** Member Maetzold stated he would not participate in the discussion or vote on the resolution to approve assignment of securities in lieu of bond for National City Bank.

**Member Faust introduced the following resolution and moved its approval:**

**RESOLUTION APPROVING ASSIGNMENT OF SECURITIES  
IN LIEU OF BOND - NATIONAL CITY BANK**

**BE IT RESOLVED** that the City Council of the City of Edina, Minnesota, approves the assignment of its depository, National City Bank, of the following securities, as collateral for the City of Edina Public Funds deposited in said depository:

<b><u>DESCRIPTION</u></b>	<b><u>RATE</u></b>	<b><u>DUE</u></b>	<b><u>PAR VALUE</u></b>
<b>US TREASURY 4 1/4 NOTE</b>	<b>5.985</b>	<b>5/6/98</b>	<b>\$ 500,000.00</b>

Member Hovland seconded the motion

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

**CLAIMS PAID** Member Maetzold made a motion to approve payment of the following claims as shown in detail on the Check Register dated January 15, 1997, and consisting of 29 pages: General Fund \$277,120.16; Community Development Block Grant \$11,265.00, Communications \$21,912.72; Working Capital \$68,941.71; Art Center \$3,121.18; Golf Course Fund \$28,256.76; Ice Arena Fund \$10,897.81; Gun Range Fund \$1,055.29; Edinborough/Centennial Lakes \$18,551.84; Utility Fund \$79,331.61; Storm Water Utility Fund \$2,533.02; Recycling Fund \$39,966.57; Liquor Dispensary Fund \$135,147.53; Construction Fund \$8,716.27; Park Bond Fund \$55,094.00; Improvement Bond Redemption #2 \$23,831.67; TOTAL \$785,743.14 and for confirmation of the following claims as shown in detail on the Check Register dated January 8, 1997, and consisting of five pages: General Fund \$179,776.97; Golf Course Fund \$39,300.00; Liquor Dispensary Fund \$281,034.16; TOTAL \$500,111.13. Member Kelly seconded the motion.

Rollcall:

Ayes: Faust, Hovland, Kelly, Maetzold, Smith

Motion carried.

There being no further business on the Council Agenda, Mayor Smith declared the meeting adjourned at 8:40 p.m.

\_\_\_\_\_  
City Clerk